

UNITED STATES DISTRICT COURT

District of

Delaware

BigBand Networks, Inc.

Plaintiffs,

v.

Imagine Communications, Inc.,

Defendant.

SUMMONS IN A CIVIL CASE

CIVIL ACTION NO.: 07 - 351

TO: Imagine Communications, Inc.
c/o National Corporate Research, Ltd.
615 South duPont Highway
Dover, DE 19901

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address):

Jack B. Blumenfeld
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899

an answer to the complaint which is served upon you with this summons, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

JUN 05 2007

DATE

Erville Watson

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE June 6, 2007	
NAME OF SERVER (PRINT) Mike Riley	TITLE Courier	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): By hand delivery of summons and complaint to defendant's registered agent National Corporate Research, Ltd. 615 South duPont Highway Dover, DE 19901		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>6/6/07</u> Date</p> <p style="text-align: right;"><u>Mike R. G.</u> Signature of Server</p> <p style="text-align: right;"><u>800 King Street; Wilmington, DE 19801</u> Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.